

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By Chairman Dennis Himmelberger, on March 27,
2007 at 8:00 A.M., in Room 455 Capitol.

ROLL CALL

Members Present:

Rep. Dennis Himmelberger, Chairman (R)
Rep. Duane Ankney, Vice Chairman (R)
Rep. Hal Jacobson, Vice Chairman (D)
Rep. Debby Barrett (R)
Rep. Gary Branae (D)
Rep. Mary Caferro (D)
Rep. Sue Dickenson (D)
Rep. Gordon R. Hendrick (R)
Rep. Teresa K. Henry (D)
Rep. Pat Ingraham (R)
Rep. William J. Jones (R)
Rep. Bruce Malcolm (R)
Rep. Walter McNutt (R)
Rep. Alan Olson (R)
Rep. Mike Phillips (D)
Rep. Veronica Small-Eastman (D)
Rep. Franke Wilmer (D)

Members Excused: Rep. Scott Sales

Members Absent: None

Staff Present: Dee Barfknecht, Committee Secretary
Sheri Heffelfinger, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing: None
Executive Action: SB 71, SB 117, SB 279, SB 285,
SB 299, HB 827, SB 502, SB 517
SB 752

EXECUTIVE ACTION ON SB 71

00:02:24 **Motion:** Rep. Olson moved that **SB 71 BE CONCURRED IN.**

00:02:33 **Motion:** Rep. Olson moved that **SB 71 BE AMENDED.**
EXHIBIT(sth65a01)

Discussion:

00:02:36 Ms. Heffelfinger

00:08:25 Rep. Olson

00:08:34 Ms. Heffelfinger

00:13:42 Rep. Henry

00:14:05 Ms. Heffelfinger

00:15:20 **Vote:** Motion that **SB 71 BE AMENDED** carried by voice vote, 18-0. Reps. Sales, McNutt, Caferro and Barrett voted by proxy.

00:15:58 **Motion:** Rep. Olson moved that **SB 71 CONCURRED IN AS AMENDED.**

Discussion:

00:16:07 Rep. Dickenson

00:16:43 Chairman Himmelberger

00:16:53 Rep. Olson

00:18:02 Ms. Heffelfinger

00:19:00 **Vote:** Motion that **SB 71 BE CONCURRED IN AS AMENDED** carried unanimously by voice vote, 18-0. Reps. Sales, Caferro, Barrett and McNutt voted by proxy. Rep. Olson will carry the bill.

EXECUTIVE ACTION ON SB 117

00:20:38 **Motion:** Rep. Olson moved that **SB 117 BE CONCURRED IN.**

00:21:36 **Motion:** Rep. Jacobson moved that **SB 117 BE AMENDED.**
EXHIBIT(sth65a02)

Discussion:

00:23:08 Rep. Jacobson

00:24:12 Ms. Heffelfinger

00:25:15 Rep. Olson

00:25:40 Rep. Ingraham

00:26:11 Ms. Heffelfinger

00:26:53 Rep. Jacobson

00:27:18 Rep. Dickenson

00:27:44 Rep. Jacobson

00:28:08 **Vote:** Motion that **SB 117 BE AMENDED** carried by voice vote, 18-0. Reps. Sales and Barrett voted by proxy.

00:28:41 **Motion:** Rep. Jacobson moved that **SB 117 CONCURRED IN AS AMENDED.**

Discussion:

00:28:54 Rep. Olson

00:29:44 **Substitute Motion/Vote:** Rep. Olson made a substitute motion that **SB 117 BE TABLED.** Substitute motion failed by roll call vote, 9-9. Reps. Himmelberger, Ankney, Barrett, Hendrick, Ingraham, Malcolm, McNutt, Olson and Sales voted aye. Reps. Sales and Barrett voted by proxy.

00:31:00 **Vote:** Motion that **SB 117 BE CONCURRED IN AS AMENDED** failed by roll call vote, 9-9. Reps. Jackson, Branae, Caferro, Dickenson, Henry, Jones, Phillips, Small-Eastman and Wilmer voted aye. Reps. Sales and Barrett voted by proxy.

00:32:18 **Substitute Motion/Vote:** Rep. Ankney made a substitute motion that **SB 117 BE TABLED.** Substitute motion carried by roll call vote, 10-8. Reps. Jacobson, Branae, Caferro, Dickenson, Henry, Phillips, Small-Eastman and Wilmer voted no. Reps. Sales and Barrett voted by proxy.

EXECUTIVE ACTION ON SB 279

00:34:20 **Motion:** Rep. Olson moved that **SB 279 BE CONCURRED IN.**

00:34:28 **Motion:** Rep. Olson moved that **SB 279 BE AMENDED.**
[**EXHIBIT**](#)(sth65a03)

Discussion:

00:35:19 Rep. Olson

00:35:35 Rep. Henry

00:36:45 Rep. Olson

00:37:12 Rep. Phillips
00:39:10 Rep. Ankney
00:40:02 Rep. Phillips

00:40:13 **Vote:** Motion that **SB 279 BE AMENDED** failed by roll call vote, 7-11. Reps. Ankney, Barrett, Caferro, Dickenson, Ingraham, Olson and Small-Eastman voted aye. Rep. Sales voted by proxy.

Discussion:

00:41:57 Rep. Wilmer
00:43:32 Ms. Heffelfinger
00:43:37 Rep. Wilmer
00:43:49 Ms. Heffelfinger

00:44:07 **Vote:** Motion that **SB 279 BE CONCURRED IN** carried unanimously by voice vote, 18-0. Rep. Sales voted by proxy. Rep. Wilmer will carry the bill.

EXECUTIVE ACTION ON SB 285

00:45:20 **Motion:** Rep. Jacobson moved that **SB 285 BE CONCURRED IN**.

Discussion:

00:45:42 Rep. Dickenson
00:47:41 Rep. Jacobson
00:49:49 Rep. Malcolm
00:51:09 Rep. Jacobson
00:51:56 Rep. Hendrick
00:53:05 Rep. Wilmer
00:53:37 Rep. Jones
00:54:24 Rep. Malcolm
00:54:58 Rep. Jacobson
00:55:03 Rep. Dickenson
00:55:50 Rep. Jacobson

00:56:22 **Vote:** Motion that **SB 285 BE CONCURRED IN AS AMENDED** carried by roll call vote, 11-7. Reps. Himmelberger, Barrett, Hendrick, Ingraham, Malcolm, Olson and Sales voted no. Rep. Sales voted by proxy. Rep. Jacobson will carry the bill.

EXECUTIVE ACTION ON SB 299

00:58:08 **Motion:** Rep. Olson moved that **SB 299 BE CONCURRED IN.**

Discussion:

00:58:33 Rep. Olson
00:58:55 Chairman Himmelberger
00:59:00 Rep. Wilmer
00:59:28 Rep. Phillips
01:00:27 Ms. Heffelfinger
01:01:39 Rep. Jacobson
01:02:05 Rep. Phillips
01:02:24 Rep. Olson
01:02:53 Rep. Jones
01:03:39 Rep. Malcolm
01:03:50 Rep. Henry
01:05:05 Rep. Wilmer
01:06:05 Rep. Olson
01:07:05 Rep. Barrett
01:08:01 Chairman Himmelberger
01:08:33 Rep. Hendrick
01:08:51 Ms. Heffelfinger
01:09:28 Rep. Branae

01:10:24 **Vote:** Motion that **SB 299 BE CONCURRED IN** carried by voice vote, 14-4. Reps. Ingraham, Malcolm, Olson and Sales voted no. Reps. Sales and Henry voted by proxy. Rep. Rice will carry the bill.

01:12:38 Break
01:32:04 Reconvene

EXECUTIVE ACTION ON SB 502

01:32:34 **Motion:** Rep. Ingraham moved that **SB 502 BE CONCURRED IN.**

Discussion:

01:32:50 Rep. Ingraham
01:34:09 Chairman Himmelberger
01:34:34 Rep. Ingraham
01:35:28 Chairman Himmelberger
01:35:39 Rep. Ingraham

01:36:27 **Vote:** Motion that **SB 502 BE CONCURRED IN** carried by voice vote, 16-2. Reps. Himmelberger and Sales voted no. Reps. Sales, Wilmer, Malcolm, Jones voted by proxy. Rep. Ingraham will carry the bill.

EXECUTIVE ACTION ON SB 517

01:37:53 **Motion:** Rep. Olson moved that **SB 517 BE CONCURRED IN**.

Discussion:

01:38:04 Rep. Barrett
 01:40:02 Rep. Phillips
 01:40:36 Rep. Barrett
 01:41:05 Rep. Ingraham
 01:42:00 Rep. Ankney
 01:42:38 Rep. Dickenson
 01:43:21 Rep. Ingraham
 01:43:52 Rep. Henry
 01:44:19 Rep. Ingraham
 01:44:33 Rep. Small-Eastman
 01:46:25 Rep. Ankney

01:46:46 **Vote:** Motion that **SB 517 BE CONCURRED IN** carried by roll call vote, 12-6. Reps. Jacobson, Caferro, Malcolm, Phillips, Small-Eastman and Wilmer voted no. Rep. Sales voted by proxy. Rep. Ingraham will carry the bill.

EXECUTIVE ACTION ON HB 827

01:48:31 **Motion:** Rep. Ankney moved that **HB 827 DO PASS**.

Discussion:

01:48:46 Rep. Wilmer
 01:49:36 Rep. Phillips
 01:50:56 Rep. Olson
 01:53:22 Ms. Heffelfinger
 01:53:27 Rep. Olson
 01:53:30 Chairman Himmelberger

01:53:39 **Vote:** Motion that **HB 827 DO PASS** failed by roll call vote, 3-15. Reps. Barrett, Malcolm and Sales voted aye. Rep. Sales voted by proxy.

01:54:53 **Substitute Motion/Vote:** Rep. Ankney made a substitute motion that **HB 827 BE TABLED**. Substitute motion carried by voice vote, 17-1. Rep. Sales voted no. Rep. Sales voted by proxy.

Additional Discussion:

01:55:24 Chairman Himmelberger
01:57:17 Rep. Jacobson
01:58:16 Rep. Olson
01:59:20 Rep. Hendrick
02:00:19 Rep. Branae
02:00:39 Ms. Heffelfinger
02:02:37 Rep. Olson
02:03:46 Rep. Wilmer
02:04:03 Rep. Ingraham
02:04:13 Ms. Heffelfinger
02:05:06 Chairman Himmelberger

02:05:14 **Motion:** Rep. Olson requested a committee bill draft for a study resolution on HB 827

02:05:37 Rep. Hendrick
02:05:47 Chairman Himmelberger
02:06:13 Ms. Heffelfinger
02:08:07 Rep. Dickenson
02:08:31 Chairman Himmelberger
02:09:00 Rep. Olson
02:09:19 Chairman Himmelberger
02:09:38 Rep. Olson withdrew his motion.

EXECUTIVE ACTION ON HB 752

02:10:41 **Motion:** Rep. Olson moved that **HB 752 BE RECONSIDERED**. (HB 752 previously Tabled, 02/23/07)

02:11:48 **Vote:** Motion that **HB 752 BE RECONSIDERED** carried by roll call vote, 10-7 by those present and voting only. Reps. Jacobson, Branae, Caferro, Dickenson, Henry, Malcolm and Wilmer voted no.

02:13:27 **Motion:** Rep. Olson moved that **HB 752 DO PASS**.

Discussion:

02:14:04 Rep. Henry
02:14:11 Rep. Wilmer
02:15:17 Rep. Phillips
02:15:47 Rep. Dickenson

02:17:04 **Vote:** Motion that **HB 752 DO PASS** failed by roll call vote, 7-11. Reps. Himmelberger, Ankney, Barrett, Hendrick, McNutt, Olson and Sales voted aye. Rep. Sales voted by proxy.

02:18:11 **Substitute Motion/Vote:** Rep. Olson made a substitute motion that **HB 752 BE TABLED**. Substitute motion carried unanimously by voice vote, 17-1. Rep. Sales voted no. Rep. Sales voted by proxy.

ADJOURNMENT

02:19:30 Adjournment

REP. DENNIS HIMMELBERGER, Chairman

DEE BARFKNECHT, Secretary

DH/db

Additional Exhibits:

EXHIBIT ([sth65aad.pdf](#))